817 Consensual Relationships

Approved by President

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Sidney A. McPhee, President

Effective Date: ______, 2020
Responsible Division: Business and Finance
Responsible Office: Human Resource Services
Responsible Officer: Assistant Vice President, Human Resource Services

I. Purpose

All employees of Middle Tennessee State University (MTSU or University) serve the interests of the State of Tennessee and its citizens, and have a duty to avoid activities and situations that, either actually or potentially, put personal interests ahead of the professional obligations that they owe to the University. All employees serve a public interest role and thus have a clear obligation to conduct all affairs of the University in a manner consistent with this concept.

This policy is intended to (1) define the general principles that guide the actions of MTSU employees, (2) offer illustrations of relationships that constitute a conflict of interest, and (3) provide a means of managing and resolving these types of conflicts of interest.

II. Scope

This policy applies to all persons employed by MTSU either as full-time, part-time, or temporary employees and regardless of the sex/gender of the employee involved with an employee or student in a consensual relationship.

This policy addresses only consensual relationships. Nonconsensual relationships are addressed in the University policies prohibiting sexual harassment and discrimination.

III. Definitions

A. Conflict of Interest. A conflict of interest occurs when the personal interests of a person who owes a duty to MTSU actually, or potentially, diverge from the person’s professional obligations to, and the best interests of, MTSU.

B. Consensual Relationship. A romantic relationship and/or sexual interaction agreed to by the involved parties.
IV. Consensual Relationships

Intimate relationships between supervisors and their subordinates and between faculty members and students are strongly discouraged due to the inherent inequality of power in such situations. These relationships could lead to undue favoritism or the perception of undue favoritism, abuse of power, compromised judgment, or impaired objectivity. They may also be in violation of Policy 816 Nepotism.

Engaging in a consensual relationship with a student over whom the faculty member has either grading, supervisory, or other evaluative authority (i.e., member of dissertation committee, thesis director, etc.) is inappropriate and constitutes a conflict of interest. The faculty member must take steps to remove the conflict by assigning a different supervisor to the student; resigning from the student’s academic committees; or by terminating the relationship, at least while the student is in their class.

Likewise, it is inappropriate and constitutes a conflict of interest for a supervisor to engage in a consensual relationship with a subordinate over whom they have evaluative or supervisory authority. The supervisor must take action to resolve the conflict of interest by, for example, assigning another individual to supervise and/or evaluate the subordinate. Such actions to resolve the conflict of interest must be documented and approved by any of the following: Dean, Chair, Supervisor/Manager, and/or Vice President. In circumstances in which it is not possible for parties involved in a consensual relationship to assign another individual to supervise and/or evaluate the subordinate, the University’s Conflict of Interest Committee shall be advised for review of the conflict of interest and resolution determination.

Notwithstanding the above, nothing in this Policy shall prevent a manager’s or supervisor’s ability to work with the University’s Human Resources Department for a review and determination concerning whether or not the consensual relationship of the parties has caused, or does cause, disruption to the University’s business operations and/or an environment that violates any other University policies.

Forms: none.

Revisions: none.

Last Reviewed: _____ 2020.

References: MTSU Policy 816 Nepotism.